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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

FILED

MAR 29 2005

WILLIAM B. GUTHRIE
Clerk, U.S. District Court
By: CA
Deputy Clerk

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

BOBBY LEEROY CANTWELL,)

Defendant.)

No. CR-05-026-WH

ORDER

On March 23, 2005, the above-styled case came before this Court for arraignment and on oral motion for competency evaluation by the Defendant Bobby Leeroy Cantwell ("the Defendant"). The Defendant appeared in person with appointed counsel Assistant Federal Public Defender Michael A. Abel, and the United States of America ("USA") was represented by Assistant United States Attorney Gregory Dean Burris. The Defendant requested a mental evaluation pursuant to 18 U.S.C. § 4241(b) prior to proceeding with the arraignment, and the USA did not object to the Defendant's request. In support of his oral request, the Defendant submitted a written Motion for Competency Evaluation on March 28, 2005 [Docket No. 7]. The Court finds that there is reasonable cause to believe that the Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. The Court therefore orders that the Defendant receive an examination to determine his competency.

Accordingly, IT IS SO ORDERED that the Federal Bureau of Prisons shall designate a psychiatrist or psychologist for evaluation of the Defendant. The Court further directs that

the United States Marshal's Service shall transport the Defendant to the examination. In evaluating the Defendant's mental condition, the examiner shall promptly examine the Defendant to determine, pursuant to 18 U.S.C. § 4241(a), whether he is suffering from a mental disease or defect rendering him mentally incompetent (i) to the extent that he is unable to understand the nature and consequences of the proceedings against him, or (ii) to properly assist in his own defense. After completing the examination, the examiner shall file a psychiatric or psychological report on the Defendant with this Court pursuant to 18 U.S.C. § 4247, a copy of which shall be provided to the Defendant. The Defendant and the United States Probation Office for this District shall make available to the designated examiner any records, reports, or other documents in their possession which pertain to this Defendant. Further, the Defendant's counsel shall cooperate with the examiner in the processing of the examination.

IT IS SO ORDERED this 29th day of March, 2005.


STEVEN P. SHREDER
UNITED STATES MAGISTRATE JUDGE